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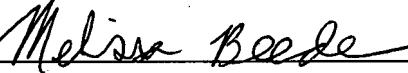
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Filing Date	September 23, 1997
First Named Inventor	Robert Wilson
Art Unit	2187
Examiner Name	M. K. N. McLean-Mayo
Attorney Docket Number	E0295.70021US00

### ENCLOSURES (Check all that apply)

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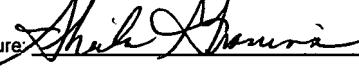
### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

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Date	June 11, 2007	Reg. No.	54,986

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ATTORNEY'S DOCKET NO: E0295.70021US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wilson et al.  
Serial No: 08/935,844  
Filed: September 23, 1997  
For: METHOD AND APPARATUS FOR IMPLEMENTING A REMOTE  
MIRRORING DATA FACILITY  
Confirmation No.: 9098  
Examiner: K. McLean-Mayo  
Art Unit: 2187

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Dated: June 11, 2007



Sheila Gravina

**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF**

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A Notification of Non-Compliant Appeal Brief was mailed in connection with this application on May 11, 2007 and alleged that the brief failed to comply with the requirements of 37 C.F.R. 41.37(c)(1)(v) relating to providing a concise explanation of the subject matter defined in each of the independent claims on Appeal. This is the sole basis on which the Appeal Brief was alleged to be defective. MPEP §1205.03 indicates that when the sole alleged defect is due to the failure to provide a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v), an entire new brief need not and should not be filed, but rather a paper providing a summary as required will suffice.

Therefore, the following "Summary of Claimed Subject Matter" is being submitted in response to the Notification of Non-Compliant Appeal Brief, and provides a summary as required by 37 CFR 41.37(c)(1)(v).

**SUMMARY OF CLAIMED SUBJECT MATTER**A) Independent Claim 1

Claim 1 is directed to a computer system that includes, *inter alia*, a CPU 1, first and second storage systems 5, 3, 7, 9, a mirroring controller 19 that mirrors at least some of the information written from the CPU 1 to the first storage system 5, 3 to the second storage system 7, 9, and at least one communication link including a network cloud 15 that extends between the first and second storage systems (Fig. 2; page 4, lines 9-17; page 8, lines 1-5; page 9, lines 8-11; page 10, lines 1-3).

B) Independent Claim 22

Claim 22 is directed to a computer system that includes first and second storage systems 5, 3, 7, 9, a mirroring controller 19, and at least one communication link 33 extending between the first and second storage systems and including at least one wireless connection (Fig. 5; page 4, lines 18-24; page 8, lines 1-5; page 9, lines 8-11; page 10, lines 1-3; page 15, lines 1-8).

C) Independent Claim 31

Claim 31 is directed to a computer system including first, second and third storage systems, a mirroring controller 19, a second communication link that extends between the first and second storage systems 5, 3, 7, 9 and a third communication link that extends between the first and third storage systems, wherein the second and third communication links each comprises a network cloud 15 (Fig. 2; page 4, line 25 – page 5, line 1; page 8, lines 1-5; page 9, lines 8-11; page 10, lines 1-3; page 14, lines 14-17).

D) Independent Claim 37

Claim 37 is directed to a method of operating a computer system that includes first, second and third storage systems, a second communication link extending between the first and

second storage systems 5, 3, 7, 9, and a third communication link extending between the first and third storage systems, wherein each of the first and second communication links is formed through a network cloud 15 (Fig. 2; page 5, lines 2-10; page 8, lines 1-5; page 9, lines 8-11; page 10, lines 1-3; page 14, lines 14-17). The method includes a step of, in response to information being written to the first storage system 5, 3, mirroring at least some of the information in both the second storage system 7, 9 and third storage system by transferring the information through the network cloud 15 (page 5, lines 2-10; page 14, lines 14-17; page 15, line 28 – page 16, line 12).

E) Independent Claim 39

Claim 39 is directed to a method of mirroring information in a computer system including first and second storage systems 5, 3, 7, 9 and at least one communication link that extends therebetween and includes a network cloud 15 (Fig. 2; page 5, lines 11-21). The method comprises a step of, in response to information being written from a CPU 1 to the first storage system 5, 3, transmitting at least some of the information into the network cloud from the first storage system with the second storage system 7, 9 designated as a destination (page 5, lines 11-21; page 15, line 28 – page 16, line 12).

F) Independent Claim 47

Claim 47 is directed to a computer system capable of mirroring information in a remotely disposed target storage system 7, 9 coupled to the computer system via at least one communication link that includes a network cloud 15 (Fig. 2; page 5, lines 22-29; page 8, lines 1-5). The computer system includes, *inter alia*, a source storage system 5, 3 and a controller 19, responsive to information written from the CPU 1 to the source storage system, to transfer at least some of the information into the network cloud 15 so that it can be mirrored in the target storage system 7, 9 (page 5, lines 22-29; page 15, line 28 – page 16, line 12).

G) Independent Claim 53

Claim 53 is directed to a computer system capable of mirroring information in a remotely disposed target storage system 7, 9 that is coupled to the computer system via at least one communication link 33 that includes at least one wireless connection (Fig. 5; page 5, line 30 – page 6, line 7; page 8, lines 1-5; page 15, lines 1-8). The computer system comprises a CPU 1, a source storage system 5, 3 to be coupled to the at least one communication link 15 so that the at least one communication link extends between the source and target storage systems, and a controller 19, responsive to information being written from the CPU to the source storage system, to transfer at least some of that information into the at least one communication link so that it can be mirrored in the target storage system 7, 9 (page 5, line 30 – page 6, line 7; page 9, lines 8-11; page 10, lines 1-3; page 15, line 28 – page 16, line 12).

H) Independent Claim 56

Claim 56 is directed to a computer system that includes, *inter alia*, first and second storage systems 3, 5, 7, 9, a mirroring controller 19, and at least one communication link 15 that extends between the first and second storage systems and is selected from the group consisting of an intranet and the Internet (Fig. 2; page 6, lines 8-16; page 8, lines 1-30).

I) Independent Claim 59

Claim 59 is directed to a computer system comprising first and second storage systems 3, 5, 7, 9, a mirroring controller 19, and at least one communication link 15 extending between the first and second storage systems, the at least one communication link being 15 selected from the group consisting of a packet switched network and a cell switched network (Fig. 2; page 6, lines 17-24; page 8, lines 1-2; page 10, lines 12-25; page 13, line 30 – page 14, line 3).

J) Independent Claim 62

Claim 62 is directed to a computer system that employs first and second storage systems 3, 5, 7, 9 and at least one communication link extending therebetween (Fig. 2; page 6, line 25 – page 7, line 2; page 8, lines 1-2). The at least one communication link includes a network cloud 15 and a plurality of communication paths into the network cloud, so that information can be transferred in parallel through the network cloud (Fig. 2; page 11, lines 3-15).

K) Independent Claim 65

Claim 65 is directed to a method of mirroring information in a computer system that employs first and second storage systems 3, 5, 7, 9 and at least one communication link extending therebetween (Fig. 2; page 8, lines 1-2). The at least one communication link includes a network cloud 15 and a plurality of communication paths into the network cloud, so that information can be transferred in parallel through the network cloud (Fig. 2; page 11, lines 3-15).

L) Independent Claim 66

Claim 66 is directed to a computer system that employs first and second storage systems 3, 5, 7, 9 and at least one communication link extending therebetween (Fig. 2; page 8, lines 1-2). The at least one communication link includes a network cloud 15 and a plurality of communication paths into the network cloud, so that information can be transferred in parallel through the network cloud (Fig. 2; page 11, lines 3-15).

Respectfully submitted,

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